

Docket No: *A-211-22*

FEDERAL COURT OF APPEAL

FEDERAL COURT OF APPEAL COUR D'APPEL FÉDÉRALE	
FILED	OCT 03 2022
KELLY SHIMONEK	
WINNIPEG, MB	- 1 -

BETWEEN:

David Zazula

APPELLANT

AND

Attorney General of Canada

RESPONDENT

NOTICE OF APPEAL

TO THE RESPONDENT:

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the appellant. The relief claimed by the appellant appears on the following page.

THIS APPEAL will be heard by the Court at a time and place to be fixed by the Judicial Administrator. Unless the Court directs otherwise, the place of hearing will be as requested by the appellant. The appellant requests that this appeal be heard at

Saskatoon, Saskatchewan

IF YOU WISH TO OPPOSE THIS APPEAL, to receive notice of any step in the appeal or to be served with any documents in the appeal, you or a solicitor acting for you must prepare a notice of appearance in Form 341 prescribed by the Federal Courts Rules and serve it on the appellant's solicitor, or where the appellant is self-represented, on the appellant, WITHIN 10 DAYS of being served with this notice of appeal.

IF YOU INTEND TO SEEK A DIFFERENT DISPOSITION of the order appealed from, you must serve and file a notice of cross-appeal in Form 341 prescribed by the Federal Courts Rules instead of serving and filing a notice of appearance.

Copies of the Federal Courts Rules information concerning the local offices of the Court and other necessary information may be obtained on request to the Administrator of this Court at Ottawa (telephone 613-992-4238) or at any local office.

APPEAL

THE APPELLANT APPEALS to the Federal Court of Appeal;

FROM THE JUDGEMENT OF MADAM JUSTICE McVEIGH
OF THE FEDERAL COURT DATED AUGUST 2, 2022;
FEDERAL COURT FILE NO: T-1093-19

THE APPELLANT ASKS that

1. THE APPEAL BE ALLOWED WITH COSTS.
2. THE JUDGEMENT OF THE FEDERAL COURT BE DECLARED INVALID OR UNLAWFUL OR QUASH.
3. RCH288 REQUEST TO CANCEL TOTAL AMOUNT OF PENALTY AND INTEREST.
4. THE DECISION MAKING ACTIONS OF CRA AND PROCEDURES CRA IS PERFORMING IN THIS CASE IS NOT BECOMING OR LAWFUL THUS CAUSING UNDUE HARDSHIP TO THE APPELLANT, REQUESTS CRA PAY DETERENT AND REPRIMAND AMOUNT EQUIVALENT TO CRA'S CLAIM FOR OVER CONTRIBUTING TOWARD THE TFSA. A SIMILAR ORDER FOR CRA TO COMPENSATE APPELLANTS WHO ARE MORE THAN 50% SUCCESSFUL IN THEIR APPEAL.
REFERENCE: CRA WEBSITE / OBJECTIONS AND APPEALS
PARA. 36
2014 TCC. 50; 2014 TCC 58; 2008 SCC 8.

2.

THE GROUNDS OF APPEAL are as follows:

Evidence shows CRA was not capable to address the appellants reason for excess TFSA contributions being Lack of comprehension and Lack documentation to support CRA'S doomed to failure error of Fact and Law. Thus placing the appellant in an extraordinary position not being able to meet ITA compliance standards.

CRA-1C07-1R1 (2017); RC17; AC 4477

Federal Court August 2, 2022 Judgement Para 21 points to the Courts Lack of Jurisdiction in the matters of this case.

JP Morgan 2013 FCA 250 Para 70

Many Court cases are posted for references.

Leroux 2014 SCC. BESC 720; Scheyer 2015 FC 74

Vavilov 2019 SCC. 65; Samaniego 2022 SCC 9

Singh 2005 FC 1457; Baker 1999 SCR 817 Para. 21-28

Appellant request material in the Tribunal possession be permitted, Federal Court Rules Sec. 350.

CRA Certificate Tab 1 - Relief Procedures - Page 16. "For cases that are denied.... appropriate Language". Please provide material.

(Date) Oct. 3, 2022

David Zazula

(Signature of solicitor or appellant)

(Name, address, telephone and fax number of solicitor or appellant)

David Zazula

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